

FILED

MAY 06 2016

STATE OF MINNESOTA

CARVER COUNTY COURT COUNTY OF CARVER

DISTRICT COURT

FIRST JUDICIAL DISTRICT

Court File Number Not Applicable

***In Re* Search Warrant pertaining to a green backpack said to belong to Andrew Bateson Kornfeld (DOB 11/30/99), and the Various contents contained within this green backpack as particularly described in in the accompanying Search Warrant.**

DISTRICT COURT ORDER SEALING SEARCH WARRANT PURSUANT TO MINN. R. CRIM. PRO 33.04

The undersigned has reviewed the *ex parte* motion of Mark Metz, Carver County Attorney, for a District Court Order sealing the above-named search warrant and all accompanying documents because disclosure of said documents could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

FINDINGS OF FACT

1) The Carver County Sheriff is conducting a lawful investigation into circumstances surrounding the sudden death of Prince Rogers Nelson, aged 57, the music superstar known better simply as Prince.

2) There is unrelenting, worldwide media coverage on the circumstances surrounding the death of Prince.

3) Until this investigation is complete, criminal charges are brought (if any) or barring further order of the court, data collected in the course of this death investigation is classified as confidential law enforcement data under Minnesota Law.

4) This Court finds reasonable grounds exist to believe that making this search warrant public could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

CONCLUSION OF LAW

This Court must issue an Order sealing this search warrant since through its *ex parte* motion; the Carver County Attorney's Office has met its legal burden set forth in Minn. Crim. Pro. 33.04(d), thereby relieving the government of having to comply with the ordinary search warrant filing requirements as set forth in Minn. Stat. §626.15 and §626.17

ORDERS

1) That the above-referenced search warrant and all accompanying documents shall not be filed as a public document within ten days of its execution to the Carver County Court Administrator's Office.

2) In lieu of filing as a public document, the search warrant and all accompanying documents shall instead be kept securely under lock and seal under the direction of the Carver County Court Administrator until commencement of criminal proceedings or 180 days from the date of this order, whichever occurs first.

3) That the *ex parte* motion of Carver County Attorney Mark Metz and this Order Sealing Search Warrant shall also be kept securely under lock and seal with the original search warrant and accompanying documents under the direction of the Carver County Court Administrator until commencement of criminal proceedings or 180 days from the date of this order, whichever occurs first.

4) Any applicable E-Filing requirements are hereby waived and no data entry into MNCIS or other similar computer database shall be made.

Dated this 6th day of May, 2016.


Judge of District Court

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STATE OF MINNESOTA

CARVER COUNTY COURTS COUNTY OF CARVER

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Court File Number Not Applicable

***In Re* Search Warrant pertaining to a green backpack said to belong to Andrew Bateson Kornfeld (DOB 11/30/99), and the various contents contained within this green backpack as particularly described in in the accompanying Search Warrant.**

**PROSECUTOR'S REQUEST TO SEAL SEARCH
WARRANT PURSUANT TO MINN. R. CRIM. PRO. 33.04(d)**

PROSECUTOR'S EX PARTE REQUEST

Carver County Attorney Mark Metz requests that the above-entitled Application for Search Warrant, Search Warrant, Supporting Affidavit[s], Inventory and Receipt not be filed with the District Court within ten days of the warrant's execution as normally required by Minn. Stat. §626.15 (Execution and Return of Warrant; Time) and Minn. Stat. §626.17 (Return and Inventory).

County Attorney Metz requests that this warrant and accompanying documents instead be sealed pursuant to the provisions of Minnesota Rules of Criminal Procedure 33.04(d) (2016).

Minnesota Rule of Criminal Procedure 33.04(d) provides that an order sealing a search warrant and accompanying documents must be issued granting the prosecutor's request if, based on a statement signed under penalty of perjury pursuant to Minn. Stat.

§ 358.116, the Court finds reasonable grounds exist to believe that making the search warrant and related documents public may cause the search or a related search to be unsuccessful, create a substantial risk of injury to an innocent person, or severely hamper an ongoing investigation.

The specific reasons for this request to seal the search warrant and accompanying documents are as follows:

1) Prince Rogers Nelson, aged 57, known better simply as Prince, suddenly died April 21, 2016, at his residence known as Paisley Park, 7801 Audubon Road, Chanhassen, Carver County, Minnesota.

2) An autopsy was subsequently conducted by the Midwest Medical Examiner's Office in Ramsey, Minnesota. However, it is anticipated that, as of the date of this document, the results of that autopsy and related toxicological findings will not be available for another week or more.

3) Beyond public law enforcement data already disclosed, other data collected as part of this active and on-going death investigation constitutes *confidential data* as classified by Minn. Stat. Stat. §13.82, Subd. 7 (criminal investigative data).

4) Upon information and belief, Prince was and currently remains one of the best-selling iconic pop musicians of all time.

5) There will likely remain intense media scrutiny upon the manner and circumstances of Prince's death for the foreseeable future, particularly since the popular media has now reported prescription opiate use by Prince. In addition, the Carver County Sheriff's Office has received information that such prescription opiates may

have been provided to Prince by a third party or parties; that Prince was going through withdrawal symptoms; and that Prince was about to meet with medical professionals to deal with his alleged abuse of prescription medications.

6) Premature disclosure of data contained in this search warrant and the fruits of its search could cause potential suspects to flee; result in potential evidence being altered or destroyed; potentially provide an incentive for collusion of testimony between potential co-conspirators; give effective notice such that other suspects are on notice of a potential investigation, surveillance or search; may motivate witness tampering schemes; and may compromise potential witness statements if media representatives interview witnesses before law enforcement investigators.

7) Therefore, public filing of this search warrant within ten days of its execution could create a risk of a search or a related search to become unsuccessful or severely hamper an ongoing investigation.

Pursuant to Minn. Stat. §358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated this 6th day of May, 2016, in Carver County, Minnesota.



Mark Metz
Carver County Attorney
Carver County Justice Center
604 East Fourth Street
Chaska, Minnesota

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MAY 06 2016

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CARVER COUNTY COURTS

DISTRICT COURT

Application 1 of 5

STATE OF MINNESOTA
ss.
COUNTY OF CARVER

**APPLICATION FOR SEARCH WARRANT
AND SUPPORTING AFFIDAVIT**

Detective Patrick Murphy, being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (things), located at: **The Carver County Sheriff's Office, 606 East 4th Street , City of Chaska , County of Carver** (the location); hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true to his own knowledge, save as to such as are herein stated on information and belief, and as to those, he believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to-wit:

- **To include but not limited to:**

1. **To search the green color backpack seized from Andrew Bateson Kornfeld (11-30-89) currently held by the Sheriff's Office, located in evidence.**
2. **Controlled substances including, but not limited to prescription medications and other controlled substances possessed without authority of law and other narcotic paraphernalia;**
3. **Primary containers used to store, preserve or conceal the above-described controlled substances;**
4. **Dispensing equipment and drug paraphernalia including, but not limited to, scales, weighing devices, measuring devices, smoking paraphernalia, and other devices used in the smoking, inhalation, ingestion, injection, use and manufacture of controlled substances;**
5. **Documents, written instructions, records, logs, receipt, address books, drug notations, and other records showing sources of supply of controlled substances, and other written material tending to establish the existence of drug transactions;**
6. **Items to show constructive possession of the above contraband, letters, correspondence, personal identification, bills, and other written material tending to show the actual or constructive possession of the above items and their location;**
7. **Profits and proceeds from narcotics transactions including, but not limited to, monies, cash, United States and foreign currency, coins, precious metals, precious jewels, jewelry.**
8. **Photographs and videotapes maintained by the suspect which chronicle and record drug usage and drug transactions;**

9. **Authority to properly dispose of any hazardous materials recovered;**
10. **Authority to photograph the above-described items and their location within the premises;**

(are)(will be) at the property described as: **The Carver County Sheriff's Office, 606 East 4th Street, City of Chaska, County of Carver, and State of Minnesota.**

This affiant applies for issuance of a search warrant upon the following grounds: (Strike inapplicable paragraph)

1. The property above-described was used as means of committing a crime.
2. The possession of the property above-described constitutes a crime.
3. The property above-described is in the possession of a person with intent to use such property as a means of committing a crime.
4. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

Application 3 of 5

The facts tending to establish the foregoing grounds for issuance of a search warrant as follows:

Your affiant, Detective Patrick Murphy, has been employed by the Caver County Sheriff's Office for the last 28 years. Detective Murphy is currently assigned to the Criminal Investigation Unit of the Sheriff's Office and has been assigned to that position since April 2001.

As part of his assignment, Detective Murphy has received the following information:

Background; On 04-21-16 at approximately 0943 hours the Sheriffs' Office received a call of a medical incident at Paisley Park Studio's located 7801 Audubon Road in the city of Chanhassen. Deputies responded and found Prince Rogers Nelson (06-07-58) (57 yrs old) unresponsive. Prince was pronounced deceased by medical personnel at approximately 1007 am. When Officer arrived they found (6) six other people on the premises including an adult male Andrew Bateson Kornfeld (11-30-89).

On 04-21-16 at approximately 1054 hours Your Affiant interviewed Andrew Bateson KornFeld (11-30-89) at the Chanhassen City Hall.

Note: Before your Affiant left Paisley Park Studio's, Andrew requested to recover his green backpack which he told your Affiant was located in one of the offices at Paisley Park studios. Your Affiant went with Andrew to the office and assisted him in collecting his backpack. It should be noted your Affiant controlled the backpack until the interview with Andrew at city hall.

Your Affiant learned from Andrew KornFeld he just flew in this morning 04-21-16 to meet with Prince. He told your Affiant he arrived this morning at approximately 6am, from California. He told your Affiant he was representing his father's Recovery Clinic, called Recovery Without Walls. He told your Affiant he was supposed to meet with Prince this morning.

Andrew told your Affiant the meeting was arranged by Prince's people with his father, Dr. Howard Kornfeld, but Dr. Kornfeld was unable to meet, so Dr. Kornfeld arranged for him to come in his place to meet with Prince, to discuss concerns, determine if Prince was a candidate for their program, and determine if he was willing to participate in their program.

Andrew told your Affiant he, Meron Bekure, Prince's Assistant, and Kirk Johnson, Prince's Friend and Head of Security, arrived at Paisley Park at approximately 0900 hours.

He told your Affiant after they arrived both Kirk and Meron began looking around the studio trying to locate Prince. Andrew said he heard a scream and ran down the hall and observed Prince lying on his left side in the elevator. This elevator is located near the front, North, entry to the building. Andrew told your Affiant when he saw Prince he believed he was already deceased. He then called 911.

Andrew told your Affiant he received information from Kirk, that Prince was struggling with opiate use, and Andrew believed Prince may have been suffering from opiate withdrawal. He said Prince reported not feeling well.

Your Affiant asked when his meeting was arranged. He said his father was contacted yesterday, the 20th. He admits the meeting was put together at the last minute and he arrived at the Minneapolis airport early this morning. Andrew told your Affiant he had not had time to meet with Prince to discuss the reason he came to meet.

Your Affiant explained to Andrew because his backpack was in the building and located at the scene of a death investigation there was a need to control his bag. Andrew said he understood. Your Affiant asked if there was anything in the bag that may be of concern. Andrew admitted there would be something of concern.

Andrew disclosed he had some pills with him. He told your Affiant he had some buprenorphine (sp?). He told your Affiant the drug is used for opiate addicts. He told your Affiant he had a little adovan, which he said is like a benzodiazepine, to be used if someone was having a seizure, in front of him. He also had an anti-nausea suppository, if someone were puking. I asked if they were controlled medications. He admitted they were.

Andrew told your Affiant he wanted me to know he brought these pills of his own accord and that his father did not know he brought them. Your Affiant asked if these medications were prescribed to him, or if he took them from the facility because he was going to meet with a client. Andrew denied he took them from the facility, but admits he brought them of his own accord. He said he got them from his own medicine cabinet, but denied he intended to use them. He said he did not think about it, he just had them, and now admits it was not a very good idea.

Your Affiant asked if he was qualified to determine what was going on, or to administer the medications. Andrew denied he would administer the drugs under any circumstances, without first consulting with a physician. I asked why he would be carrying the medications or why he would have them with him.

Andrew gave the explanation if there was an alcoholic who was having a seizure and he was on the phone with 911, and he could tell them he had some valium or, have whatever, and should he give this to them. Your Affiant explained to Andrew that neither the 911 dispatcher, nor our medics were going to give him instructions to give any medications.

Andrew told your Affiant if he had discovered that he (Prince) was having some distress he would call his dad, or he would call 911. He denied he would give any medications without talking to a physician.

Andrew said the suppository was not controlled and the other medications, there was not that much of it. Your Affiant explained to Andrew from what he disclosed the other medications were controlled, and he was possessing those medications that were neither prescribed to him, he is not a licensed doctor, nor does he have the authority to administer or control them.

Application 5 of 5

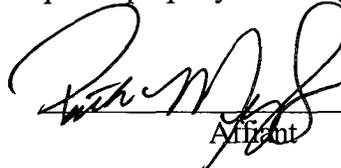
Your Affiant told Andrew his backpack would be held and the medications he admitted were in the bag would be collected. Andrew said he understood. Your Affiant asked if there were any other things in his bag we should know about, or if he had anything else on his person. He said no.

Your Affiant is requesting the courts permission to execute a search warrant on the green backpack seized from Andrew Kornfeld to collect any and all pills, medications, or other suspected narcotics located within that bag. This backpack is currently located in the evidence room at the Sheriffs' Office in the city of Chaska.

Additionally, your affiant is requesting the courts permission to search through any and all other papers or documents located within the bag to show ownership of the bag or constructive possession of the items found in the bag.

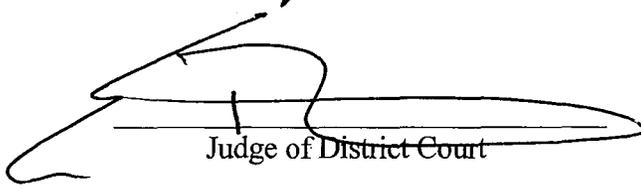
Your Affiant would also request the courts permission to review any other documents located in the bag, searching for documentation identifying the medications, documentations which may indicate the kind of medications, how they were to be used, or if there were specific directions on how to administer the medications.

WHEREFORE, Your Affiant requests a search warrant be issued commanding, **Detective Patrick Murphy, Detective Neil Kuhnau, Detective Chris Wagner, Detective Angie Nucci, Detective Tyler Stahn, Detective Chris Nelson**, peace officer(s) of the State of Minnesota, (between the hours of 7:00 a.m. and 8:00 p.m. only) to search the hereinbefore described (premise) (things) for the described property and things and keep said property and things in custody until the same be dealt with according to law.



Affiant

Subscribed and sworn to before
me this 26 day of April.
2016 Time: 9:14 a.m.



Judge of District Court

SEARCH WARRANT

1 of 2

STATE OF MINNESOTA, COUNTY OF CARVER

DISTRICT COURT

TO: **Detective Patrick Murphy** a PEACE OFFICER(S) OF THE STATE OF MINNESOTA.

WHEREAS, Detective Patrick Murphy has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described (premises) (Residence) and (PERSONAL PROPERTY). These items and property will be located in/on the property located at; **The Carver County Sheriff's Office, 606 East 4th Street, City of Chaska**, County of Carver, STATE OF MINNESOTA, for the following described property and things: (attach and identify additional sheet if necessary)

To include but not limited to the follow items:

1. **To search the green color backpack seized from Andrew Bateson Kornfeld (11-30-89) currently held by the Sheriff's Office, located in evidence.**
2. **Controlled substances including, but not limited to prescription medications and other controlled substances possessed without authority of law and other narcotic paraphernalia;**
3. **Primary containers used to store, preserve or conceal the above-described controlled substances;**
4. **Dispensing equipment and drug paraphernalia including, but not limited to, scales, weighing devices, measuring devices, smoking paraphernalia, and other devices used in the smoking, inhalation, ingestion, injection, use and manufacture of controlled substances;**
5. **Documents, written instructions, records, logs, receipt, address books, drug notations, and other records showing sources of supply of controlled substances, and other written material tending to establish the existence of drug transactions;**
6. **Items to show constructive possession of the above contraband, letters, correspondence, personal identification, bills, and other written material tending to show the actual or constructive possession of the above items and their location;**
7. **Profits and proceeds from narcotics transactions including, but not limited to, monies, cash, United States and foreign currency, coins, precious metals, precious jewels, jewelry.**
8. **Photographs and videotapes maintained by the suspect which chronicle and record drug usage and drug transactions;**
9. **Authority to properly dispose of any hazardous materials recovered;**
10. **Authority to photograph the above-described items and their location within the premises;**

SEARCH WARRANT

2 of 2

WHEREAS, the application and supporting affidavit of **Detective Patrick Murphy** (was) (were) duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds: (Strike inapplicable paragraphs)

1. The property above-described was used as means of committing a crime.
2. The possession of the property above-described constitutes a crime.
3. The property above-described is in the possession of a person with intent to use such property as a means of committing a crime.
4. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

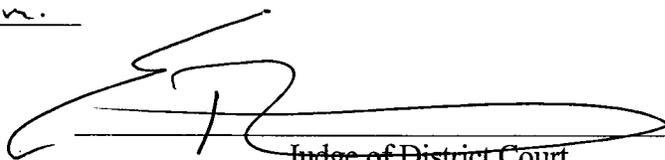
The Court further finds that probable cause exists to believe that the above-described property and things (are) (will be) (at the above-described premises):

NOW, THEREFORE, YOU Detective Patrick Murphy, Detective Neil Kuhnau, Detective Chris Wagner, Detective Angie Nucci, Detective Tyler Stahn, Detective Chris Nelson (and all other personnel under your direction and control), **THE PEACE OFFICER(S) AFORESAID, ARE HEREBY COMMANDED (between the hours of 7:00 a.m. and 8:00 p.m.) TO ENTER and SEARCH** (the described premises) For the above described property and things and to (retain them in custody subject to court order and according to law) (Deliver custody of said property and things to <NAME>).

BY THE COURT:

Date: 4.26.2016

Time: 9:17 a.m.



Judge of District Court